

59219-A



ISK/PT

UNITED STATES PATENT AND TRADEMARK OFFICEUNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER 09/406570	FILING/RECEIPT DATE 09/24/1999	FIRST NAMES APPLICANT <u>SHIMIZU, AKIHIKO</u>	ATTORNEY DOCKET NUMBER 2271/57219-A
--	--	---	---

IVAN S KAVRUKOV
COOPER AND DUNHAM LLP
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036Examiner / **PSITOS, ARISTOTELIS**
Art Unit **2653** Paper Number

DEC 16 2005

Date Mailed: 12/13/2005

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 07/15/2003, are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

Corrected Drawings: 2-13-2006

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450Tyrone Johnson
Office of Patent Publication,
Publishing Division
703-305-0333 #130

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 3/20/03 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____

☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) _____

☐ Photographs may not be mounted. 37 CFR 1.84(e)

☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____

☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable.

Fig(s) _____

☒ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.

Fig(s) 1A-186

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

☐ All drawing sheets not the same size.

Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☐ Margins not acceptable. Fig(s) _____

Top (T) _____ Left (L) _____

Right (R) _____ Bottom (B) _____

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☒ Views not labeled separately or properly.

Fig(s) 3

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

☐ Sectional designation should be noted with

Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1A-186

11. SHADING. 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____

☒ Solid black shading not permitted. Fig(s) 4A, 9A-9F

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

☒ Numbers and reference characters not plain and legible. Fig(s) 1A-186

☐ Figure legends are poor. Fig(s) _____

☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS.

37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152

☐ Surface shading shown not appropriate.

Fig(s) _____

☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Borderline Fig. 4

Reviewer [Signature]

If you have questions, call (703) 305-8404.

Date 12/13/03

Attachment to Paper No. 07/406570

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Akihiko SHIMIZU and Kenya YOKOI

Serial No.: 09/406,570

Group Art Unit: 2653

Date Filed: September 24, 1999

Examiner: Aristotelis M. Psitos

For: OPTICAL INFORMATION RECORDING MEDIUM WITH A PARTITION WALL
BETWEEN AN INFORMATION TRACKS GROOVE AND A PREFORMAT PIT
ENCODING INFORMATION THEREFOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

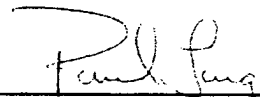
**COMMUNICATION FORWARDING CORRECTED DRAWINGS IN RESPONSE
TO DECEMBER 13, 2005 OFFICIAL NOTICE REGARDING DRAWINGS**

In response to the official Notice Regarding Drawings dated December 13, 2005, Applicant submits herewith seventeen (17) replacement sheets of drawings for Figures 1A-18B in connection with the above-identified application.

No new additional subject matter has been introduced in the enclosed replacement sheets of drawings.

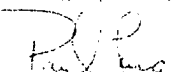
If any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



PAUL TENG, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, N.Y. 10036
Tel.: (212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Paul Teng
Reg. No. 40,837

February 3, 2006
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/406,570	09/24/1999	AKIHIKO SHIMIZU	2271/57219-A	1757

7590 04/06/2006

IVAN S KAVRUKOV
COOPER AND DUNHAM LLP
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

PSITOS, ARISTOTELIS M

ART UNIT	PAPER NUMBER
----------	--------------

2627

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

57219-A

ISK

Notice of Abandonment

Application No.

09/406,570

Examiner

PSITOS

Applicant(s)

SHIMIZU

Art Unit

2627

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12/13/05.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.

Petition + CR revive 6/6/06
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

lgd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



06-08-06

Dkt. 2271/57219-A

DAE/2653-
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Akihiko SHIMIZU et al.

Serial No.: 09/406,570

Group Art Unit: 2653

Date Filed: September 24, 1999

Examiner: Aristotelis M. Psitos

For: OPTICAL INFORMATION RECORDING MEDIUM WITH A PARTITION WALL
BETWEEN AN INFORMATION TRACKS GROOVE AND PREFORMAT PIT
ENCODING INFORMATION THEREFOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

EXPRESS MAIL LETTER OF TRANSMITTAL

Express Mail mailing label number: EV554808148US

Date of Deposit: June 6, 2006

I hereby certify that the above-identified Petition Under 37 C.F.R. §1.181 To Withdraw Holding of Abandonment, consisting of Exhibit A (copy of Notice Regarding Drawings), Exhibit B (Copy of Communication Forwarding Corrected Drawings and seventeen sheets of corrected drawings for Figures 1A-18B), Exhibit C (Copy of Notice of Abandonment), Exhibit D (Copy of computer printout of accounting records), is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mail Room Employee

Depositing Express Mail Material

Attorneys for Applicant:
IVAN S. KAVRUKOV, Reg. No. 25,161
PAUL TENG, Reg. No. 40,837
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, N.Y. 10036
Tel: (212) 278-0400

POSTAGE USAGE REPORT BY CLIENT DOCKET
Activity Detail Report -- For Period 01-FEB-06 through 15-FEB-06

DATE	CLIENT DOCKET	USER I.D.	COUNTS	AMOUNT
03-FEB-06	227157219	Ryan Hinds	1	1.35
	227157219			\$ 1.35
01-FEB-06	227157379	Ryan Hinds	1	7.50
	227157379			\$ 7.50
13-FEB-06	227160860	Ryan Hinds	1	1.35
	227160860			\$ 1.35
02-FEB-06	227164073	Velazquez, Anton	1	6.55
	227164073			\$ 6.55
02-FEB-06	227165101	Ryan Hinds	1	8.85
	227165101			\$ 8.85
08-FEB-06	227166099	Ryan Hinds	1	3.70
	227166099			\$ 3.70
06-FEB-06	227166147	Jeff Diaz	1	6.55
	227166147			\$ 6.55
01-FEB-06	227166868	Ryan Hinds	1	3.70
	227166868			\$ 3.70
01-FEB-06	227166976	Ryan Hinds	1	2.75
	227166976			\$ 2.75
07-FEB-06	227167684	Ryan Hinds	1	0.63